VOL. I. [209] No. 27

The NORTH-CAROLINA MAGAZINE; OR, UNIVERSAL INTELLIGENCER.

From FRIDAY NOVEMBER 30, to FRIDAY DECEMBER 7, 1764.

Of the Political and Civil Rights of the Britiſh *Coloniſts.*

[*Continued from page* 205.]

WHY then is it thought ſo heinous by the author of the adminiſtration of the colonies, and others, that the coloniſts ſhould aſpire after "a one whole legiſlative power" not independent of, but ſubordinate to the laws and parliament of Great-Britain?—It is a miſtake in this author, to bring ſo heavy a charge as *high treaſon* againſt ſome of the coloniſts, which he does in effect in this place, by repreſenting them as "claiming in fact or in deed, the ſame full free independent unreſtrained power and legiſlative will, in their ſeveral corporations, and under the King's commiſſion, and their reſpective charters, as the government and legiſlature of Great Britain holds by its conſtitution and under the great charter." No ſuch claim was ever tho't of by any of the coloniſts. They are all better men and better ſubjects; and many of them too well verſed in the laws of nature and nations, and the law and conſtitution of Great-Britain, to think they have a right to more than a *provincial ſubordinate* legiſlative. All power is of GOD. Next, and only ſubordinate to him, in the preſent ſtate of the well formed, beautifully conſtructed Britiſh monarchy, ſtanding where I hope it ever will ſtand, for the pillars are fixed in judgment, righteouſneſs and truth, is the King and Parliament. Under theſe, it ſeems eaſy to conceive ſubordinate powers in gradation, till we deſcend to the legiſlative of a town council, or even a private ſocial club. Theſe have each "a one whole legiſlative" ſubordinate, which, when it don't counteract the laws of any of its ſuperiors, is to be indulged. Even when the laws of ſubordination are tranſgreſſed, the ſuperior does not deſtroy the ſubordinate, but will negative its acts, as it may in all caſes when diſapproved. This right of negative is eſſential, and may be enforced: But in no caſe are the eſſential rights of the ſubjects, inhabiting the ſubordinate dominions, to be deſtroyed. This would put it in the power of the ſuperior to reduce the inferior to a ſtate of ſlavery; which cannot be rightfully done, even with *conquered* enemies and *rebels*. After ſatisfaction and ſecurity is obtained of the former, and examples are made of ſo many of the latter, as the ends of government require, the reſt are to be reſtored to all the eſſential rights of men and of citizens. This is the great law of nature: and agreeable to this law, is the conſtant practice of all good and mild governments. This lenity and humanity has no where been carried further than in Great-Britain. The colonies have been ſo remarkable for loyalty, that there never has been any inſtance of rebellion or treaſon in them. This loyalty is in very handſome terms acknowledged by the author of the adminiſtration of the colonies. "It has been often ſuggeſted that care ſhould be taken in the adminiſtration of the plantations, leſt, in ſome future time, theſe colonies ſhould become independent of the mother country. But perhaps it may be proper on this occaſion, nay, it is juſtice to ſay it, that if, by becoming independent, is

meant

meant a revolt, nothing is further from their nature, their intereſt, their thoughts. If a defection from the *alliance* of the mother country be ſuggeſted, it ought to be, and can be truly ſaid, that their ſpirit abhors the ſenſe of ſuch; their attachment to the proteſtant ſucceſſion in the houſe of Hanover, will ever ſtand unſhaken; and nothing can eradicate from their hearts their natural and almoſt mechanical, affection to Great-Britain, which they conceive under no other ſenſe, nor call by any other name than that of *home*. Any ſuch ſuggeſtion, therefore, is a falſe and unjuſt aſperſion on their principles and affections; and can ariſe from nothing but an entire ignorance of their circumſtances." After all this loyalty, it is a little hard to be charged with claiming, and repreſented as aſpiring after, independency. The inconſiſtency of this I leave. We have ſaid that the loyalty of the colonies has never been ſuſpected; this muſt be reſtricted to a juſt ſuſpicion. For it ſeems there have long been groundleſs ſuſpicions of us in the minds of individuals. And there have always been thoſe who have endeavoured to magnify theſe chimerical fears. I find Mr. Dummer complaining of this many years ſince. "There is, ſays he, one thing more I have heard often urged againſt the charter colonies, and indeed 'tis what one meets with from people of all conditions and qualities, tho' with due reſpect to their better judgments, I can ſee neither reaſon nor colour for it. 'Tis ſaid that their increaſing numbers and wealth, joined to their great diſtance from Britain, will give them an opportunity, in the courſe of ſome years, to throw off their dependence on the nation, and declare themſelves a free ſtate, if not curb'd in time, by being made *entirely ſubject to the crown.*"

This jealouſy has been ſo long talked of, that many ſeem to believe it really well grounded. Not that there is danger of a "revolt", even in the opinion of the *author of the adminiſtration*, but that the coloniſts will by fraud or force, avail themſelves, in "fact or in deed", of an independent legiſlature. This, I think, would be a revolting with a vengeance. What higher revolt can there be, than for a province to aſſume the right of an independent legiſlative, or ſtate? I muſt therefore think this a greater aſperſion on the Coloniſts, than to charge them with a deſign to revolt, in the ſenſe to which the Gentleman allows they have been abuſed: It is a more artful and dangerous way of attacking our liberties, than to charge us with being in open rebellion. That could be confuted inſtantly; but this ſeeming indirect way of charging the colonies, with a deſire of throwing off their dependency, requires more pains to confute it than the other, therefore it has been recurred to. The truth is, Gentlemen have had departments in America, the functions of which they have not been fortunate in executing. The people have by theſe means been rendered uneaſy, at bad Provincial meaſures. They have been repreſented as factious, ſeditious, and inclined to democracy, whenever they have refuſed paſſive obedience to Provincial mandates, as arbitrary as thoſe of a Turkiſh Baſhaw: I ſay, Provincial mandates; for to the King and Parliament they have been ever ſubmiſſive and obedient.

Theſe repreſentations of us, many of the good people of England ſwallow with as much eaſe, as they would a bottle-bubble, or any other ſtory of a cock and a bull; and the worſt of it is, among ſome of the moſt credulous, have been found Stars and Garters. However, they may all reſt aſſured, the Coloniſts, who do not pretend to underſtand themſelves ſo well as the people of England, tho' the author of the Adminiſtration makes them the fine Compliment, to ſay, they "know their buſineſs much better," yet will never think of independency. Were they inclined to it, they know the blood and the treaſure it would coſt, if ever effected; and when done, it would be a thouſand to one if their liberties did not fall a ſacrifice to the victor.

We all think ourſelves happy under Great-Britain. We love, eſteem and reverence our mother country, and adore our King. And could the choice of independency be offered the colonies, or ſubjection to Great-Britain upon any terms above abſolute ſlavery, I am convinced they would accept the latter. The miniſtry, in all future generations may rely on it, that Britiſh America will never prove undutiful, till driven to it, as the laſt fatal reſort againſt miniſterial oppreſſion, which will make the wiſeſt mad, and the weakeſt ſtrong.

Theſe colonies are and always have been, "entirely ſubject to the crown," in the legal "ſenſe of the terms. But if any politician of "tampering activity, of wrong-headed inexperience, miſled to be meddling," means, by "curbing the colonies in time," and by "being

" being made entirely ſubject to the crown;" that this ſubjection ſhould be abſolute, and confined to the crown, he had better have ſuppreſſed his wiſhes. This never will nor can be done, without making the coloniſts vaſſals of the crown. Subjects they are; their lands they hold of the crown, by common ſoccage, the freeſt feudal tenure, by which any hold their lands in England, or any where elſe. Would theſe gentlemen carry us back to the ſtate of the Goths and Vandals, and revive all the military tenures and bondage which our fore fathers could not bear? It may be worth noting here, that few if any inſtances can be given, where colonies have been diſpoſed to forſake or diſobey a tender mother: But hiſtory is full of examples, that armies ſtationed as guards over provinces, have ſeized the prey for their general, and given him a crown at the expence of his maſter. Are all ambitious generals dead? Will no more riſe up hereafter? The danger of a ſtanding army in remote provinces is much greater to the metropolis, than at home. Rome found the truth of this aſſertion, in her Sylla's, her Pompey's and Cæſars; but ſhe found it too late: Eighteen hundred years have roll'd away ſince her ruin. A continuation of the ſame liberties that have been enjoyed by the coloniſts ſince the revolution, and the ſame moderation of government exerciſed towards them, will bind them in perpetual lawful and willing ſubjection, obedience and love to Great-Britain: She and her colonies will both proſper and flouriſh: The monarchy will remain in ſound health and full vigor at that bleſſed period, when the proud arbitrary tyrants of the continent ſhall either unite in the deliverance of the human race, or reſign their crowns. Reſcued, human nature muſt and will be, from the general ſlavery that has ſo long triumphed over the ſpecies. Great-Britain has done much towards it: What a Glory will it be for her to complete the work throughout the world.

The author of the adminiſtration (page 54) " deſcribes" the defects of the " provincial courts," by a " very deſcription," the firſt trait of which is, " The ignorance of the judges." Whether the deſcription, or the deſcription of the deſcription, are *verily* true, either as applied by Lord Hale, or the Adminiſtrator, is left to the reader: I only aſk, who makes the judges in the provinces? I know of but two colonies, viz. Connecticut and Rhode-Iſland, where they are choſen by the people. In all other colonies, they are either immediately appointed by the crown, or by his Majeſty's governor, with the advice of what the adminiſtrator calls, the " governor's council of ſtate." And if they are in general ſuch ignorant creatures, as the Adminiſtrator deſcribes them, 'tis the misfortune, not the fault, of the people, in the colonies. However, I believe, juſtice in general is as well adminiſtred in the colonies, as it will be when every thing is devolved upon a court of admiralty, general or provincial. The following is very remarkable. " In thoſe popular governments, and where every executive officer is under a dependence for a temporary, wretched, and I had almoſt ſaid arbitrary ſupport, on the deputies of the people,"

Why is the temporary ſupport found fault with? Would it be wiſe to give a governor a ſalary for a longer time than his political life? As this is quite as uncertain as his natural life, it has been granted annually. So every governor has the chance of one year's ſalary after he is dead. All the King's officers are not even in the charter provinces " dependent on the people" for ſupport. The judges of the admiralty, thoſe mirrors of juſtice, to be truſted, when none of the common law courts are, have all their commiſſions from home. Theſe, beſides other fees, have ſo much per cent. on all they condemn, be it right or wrong, and *this by act of parliament*. Yet ſo great is their integrity, that it never was ſuſpected that 50 per cent. if allowed, would have any influence on their decrees.

Cuſtom-houſe officers univerſally, and Naval-officers, in all but two or three of the colonies, are, I believe, appointed directly from home, or by inſtruction to the Governor; and take juſt what they pleaſe, for any reſtraint they are under by the provincial Acts. But on whom ſhould a Governor depend for his honourable ſupport, but the people? Is not the King fed from the field, and from the labour of his people? Does not his Majeſty himſelf receive his aids from the free grant of his parliament? Do not all theſe originate in the houſe of commons? Did the houſe of Lords ever originate a grant? Do not our law books inform us that the Lords only aſſent or diſſent, but never ſo much as propoſe an amendment, on a money bill? The King can take no more than the parliament will give him,

him, and yet ſome of his Governors have tho't it an inſufferable hardſhip, that they could not take what they pleaſed. To take leave of the adminiſtrator, there are in his book ſome good hints, but a multiplicity of miſtakes in fact, and errors in matters of right, which I have not time to mention particularly.

Ireland is a conquered kingdom; and yet have tho't they received very hard meaſure in ſome of the prohibitions and reſtrictions of their trade. But were the colonies ever conquered? Have they not been ſubject and obedient, and loyal from their ſettlement? Were not the ſettlements made under the Britiſh laws and conſtitution? But if the colonies were all to be conſidered as conquered, they are entitled to the eſſential rights of men and citizens. And therefore admitting the right of prohibition, in its utmoſt extent and latitude; a right of taxation can never be infer'd from that. It may be for the good of the whole that a certain commodity ſhould be prohibited: But this power ſhould be exerciſed, with great *moderation* and impartiality, over dominions, which are not *repreſented*, in the national parliament. I had however rather ſee this carried with a high hand, to the utmoſt rigor, than have a tax of one ſhilling taken from me without my conſent. A people may be very happy, free and eaſy among themſelves, with a particular branch of foreign trade: I am ſure theſe colonies have the natural means of every manufacture in *Europe*, and ſome that are out of their power to make or produce. It will ſcarcely be believed a hundred years hence, that the American manufactures could have been brought to ſuch perfection, as they will then probably be in, if the preſent meaſures are puſhed. One ſingle act of parliament we find has ſet people a thinking, in ſix months, more than they had done in their whole lives before. It ſhould be remembred, that the moſt famous and flouriſhing manufactures of wool, in *France*, were begun by *Lewis* 14, not an hundred years ago; and they now bid fair to rival the *Engliſh*, in every port abroad. All the manufactures that Great Britain could make, would be conſumed in America, and in her own plantations, if put on a right footing; for which a greater profit in return would be made, than ſhe will ever ſee again for woolen ſent to any part of Europe.

But tho' it be allowed, that liberty may be enjoy'd in a comfortable meaſure, where *prohibitions* are laid on the trade of a kingdom or province; yet if *taxes* are laid on either, *without* conſent, they cannot be ſaid to be free. This barrier of liberty being once broken down, all is loſt. If a ſhilling in the pound may be taken from me againſt my will, why may not twenty ſhillings; and if ſo, why not my liberty or my life? Merchants were always *particularly* favour'd by the common law—"All Merchants, except enemies, may ſafely come into *England*, with their goods and merchandize"—2 Inſt. 28.—And why not as well to the *plantations*? Are they not entitled to all the Britiſh privileges? No, they muſt be confined in their imports and exports, to the good of the metropolis. Very well, we have ſubmitted to this. The act of navigation is a good act, ſo are all that exclude foreign manufactures from the plantations, and every honeſt man will readily ſubſcribe to them. Moreover, "Merchant ſtrangers, are alſo to come into the realm and depart at pleaſure; and they are to be friendly entertained." 2 Ri. C. 1. But to promote the manufactures of *England*, 'tis tho't beſt to ſhut up the *colonies* in a manner from all the world. Right as to Europe: But for GOD's ſake, muſt we have no trade with other colonies? In ſome caſes the trade between *Britiſh* colony and colony is prohibited as in wool, &c. Granting all this to be right, is it not enough? No, duties and taxes muſt be paid without any *conſent* or *repreſentation* in parliament. The common law, that ineſtimable privilege of a jury, is alſo taken away in all trials in the colonies, relating to the revenue, if the informers have a mind to go to the admiralty; as they ever have done, and ever will do, for very obvious reaſons. "It has ever been boaſted, ſays Mr. Dummer in his defence of the charters, as the peculiar privilege of an Engliſhman, and the ſecurity of his property, to be tryed by his country, and the laws of the land: Whereas this admiralty method deprives him of both, as it puts his eſtate in the diſpoſal of a ſingle perſon, and makes the civil law the rule of judgment; which tho' it may not properly be called foreign, being the law of nations, yet 'tis what he has not conſented to himſelf, nor his repreſentative for him. A juriſdiction therefore ſo founded, ought not to extend beyond what *neceſſity requires*"—"If ſome bounds are not ſet to the juriſdiction of the admiralty, beyond which it ſhall not paſs, it may, in time, like

like the element to which it ought to be confin'd, grow outrageous, and overflow the banks of all the other courts of juſtice." I believe it has never been doubted by one ſound, common lawyer of England, whether a court of admiralty ever anſwered many good ends; "the court of King's bench has a power to reſtrain the court of admiralty in England; and the reaſons for ſuch reſtraining power are as ſtrong in New-England as in Great-Britain," and in ſome reſpects more ſo: Yet Mr. Dummer mentions a clamour that was raiſed at home by a judge of the admiralty for New-England, who complained "that the common law courts by granting prohibitions, weaken, and in a manner ſuppreſs the authority of this court, and all the good ends for which it was conſtituted." Thus we ſee, that the court of admiralty long ago diſcover'd no very friendly diſpoſition towards the common law courts here; and the records of the houſe of Repreſentatives afford us a notable inſtance of one, who was expelled the houſe, of which he had been an unworthy member, for the abuſive miſr preſentations of the province, by him ſecretly made.

(To be continued.)

WILMINGTON, November 28.

The ADDRESS of His Majeſty's Honourable Council, to his Excellency ARTHUR DOBBS, Eſq; Captain-General, and Governor in Chief, in and over His Majeſty's Province of North-Carolina, *and Vice-Admiral of the ſame.*

May it pleaſe your Excellency,

WE, His Majeſty's moſt dutiful and loyal ſubjects, the Council of this Province, on the approching Departure of your Excellency, moſt ſincerely deſire to tender you our unfeigned and moſt grateful Acknowledgments for the many real and important Services derived to this Province during the Courſe of your Excellency's Government.

YOUR Excellency's wiſe, ſteady and uniform Adminiſtration, has always been beſt calculated (judging from Conſequences) for promoting His Majeſty's Service, and at the ſame Time, productive of the beſt and moſt extenſive Advantages to His Majeſty's loyal Subjects.

WE are happy in being able to diſtinguiſh that Adminiſtration not only unſullied, but publickly kind and benevolent: As ſuch, your's, Sir, demands our grateful Acknowledgments.

WE flatter ourſelves, from our future Proſpects, that your Succeſſor, whom his Majeſty has been pleaſed to appoint his Lieutenant-Governor, will, from his univerſal good Character, be equally ſucceſsful in your Abſence, in his Endeavours to promote the Proſperity and Welfare of this Province.

AND, we moſt ardently wiſh your Excellency all Happineſs, and an agreeable Arrival in *Britain*, with a ſpeedy Recovery of your Health; together with a moſt gracious and cordial Reception from His Majeſty and His Miniſters, for your unwearied Endeavours to ſerve his Intereſt, and the Province.

JAMES MURRAY, Preſident.

His *EXCELLENCY'S* ANSWER.

I Return you my ſincere and hearty Thanks for your kind Addreſs, upon my approaching Departure from this Province. Your kind Acknowledgement and Approbation of my Endeavours to ſerve His Majeſty and to promote the true Intereſt and Welfare of this Colony, by my promoting a happy Union between His Majeſty and the Inhabitants of this Province, as it has been my conſtant Intention, gives me the greateſt Pleaſure; and upon my Return to his Royal Preſence, I ſhall truly inform His Majeſty of your conſtant Endevours to promote His Service and the public Advantage of the Colony.

The ADDRESS of the Commons Houſe of ASSEMBLY, of the Province of North-Carolina, *to his Excellency ARTHUR DOBBS, Eſq; Captain General, and Governor in Chief, in and over the ſaid Province, and Vice-Admiral of the ſame.*

SIR,

YOUR Excellency having been pleaſed to notify to us, His Majeſty's Leave given you to return to *England*, for the Recovery of your Health; We, the Members of the Commons Houſe of Aſſembly of the Province of *North-Carolina*, beg Leave to aſſure your Excellency, that we are truly ſenſible of your ſteady Zeal, in promoting the Rights of the Crown; and flatter ourſelves, that our Conduct has been conformable to the frequent

Aſſurances

Aſſurances given of our unalterable Attachment to His Majeſty, and our ſteady Zeal for the Support of His Government; and as ſuch, hope your Excellency, on your Return to the Royal Preſence, will faithfully repreſent our Loyalty and known Attachment to His Majeſty's Perſon, Family and Government:—This Office of Favour we hope we are entitled to, and from thence doubt not but it will be faithfully performed by your Excellency.

WE wiſh your Excellency a pleaſant Voyage, and a ſafe Arrival in *Britain*; and that your native Air may have all thoſe ſalutary Effects for the Re-eſtabliſhment of your Health, that you can wiſh.

JOHN ASHE, Speaker.

His *EXCELLENCY'S* ANSWER.

I Return you my hearty Thanks for your Approbation of my beſt Endeavours to promote His Majeſty's Intereſt in this Province, and your Wiſhes for my ſafe Arrival in *Britain*, and Recovery of my Health; and ſhall faithfully repreſent the Duty and Loyalty of the Aſſembly of this Province to His Majeſty.

Yeſterday Mr. Speaker and the Gentlemen of the Aſſembly, waited on his Excellency the Governor in the Upper-Houſe, and preſented him with the following Bills for his Aſſent, viz.

1. An Act to amend and continue an Act for eſtabliſhing Superior Courts, &c.——2. An Act to amend and continue an Act for eſtabliſhing Inferior Courts, &c.——3. An Act to amend an Act directing the Method of appointing Jurymen, &c.—4. An Act to render more effectual the Laws making Lands and other real Eſtates liable to the Payment of Debts.—5. An Act to prevent the Exportation of unmerchantable Commodities.—6. An Act for regulating the Pilotage of Cape Fear River.—7. An Act to regulate Proceedings in a Court held for the Borough of Wilmington.—8. An Act for enlarging the Time of ſaving Lots in the Town of Halifax——9. An additional Act concerning Servants and Slaves.—10. An Act to confirm the Veſtry of Bute County.—11. An Act to increaſe the Salary of the Reverend Mr. Thomas Burgeſs, &c.—12. An Act to prevent the unreaſonable Deſtruction of Fiſh, &c.—13. An Act to enable William Dry, Eſq; to cut a Road acroſs Eagle Iſland.——14. An Act for altering the Dividing Line between Northampton and Hertford.—15. An Act for the Relief of Abraham Jones, late Sheriff, &c.—16. An Act to continue an Act therein mentioned.—17. An Act to prevent hunting and killing Deer in the manner therein mentioned.——To which Bills his Excellency gave his Aſſent.

From Charleſtown we are adviſed, that the ſnow Eagle, James Hutton, maſter, who ſailed from that port the 22d of Auguſt laſt for Antigua, with a cargo of lumber and 71 barrels of rice, overſet in the night of September 8th, in latitude 28. 44. N. and longitude 65. 30. The people were 12 hours on the bottom of the veſſel before the boat came up, on board of which they happily all got. On the third day afterwards the carpenter died, whoſe body they eat, after taking out his entrails. On the 9th day they caſt lots in the boat, which of them ſhould be killed for the ſuſtenance of the reſt; and as they were about to butcher the wretched victim, one of them eſpy'd a veſſel becalm'd, when they rejected their project, and immediately made towards her, and found her to be a veſſel from North Carolina, which carried them into St. Chriſtopher's, September 29th.

By a letter from Halifax in Nova-Scotia, we learn, that ſeventeen large boats have been ſeized by his Majeſty's cutters on the Newfoundland ſtation, for carrying Britiſh caught fiſh on board two French doggers on the Banks. As their whole cargoes were proved to be none of their own catching, they have been unladed at St. John's, and afterwards diſcharged. The Governor is very ſevere on this clandeſtine traffick, ſo injurious to the fair trader.

We hear that the Right Worſhipful William Spry, Doctor of Law, the Judge of his Majeſty's Court of Vice-Admiralty over all America, hath opened his ſaid Court at Halifax, in Nova Scotia; and that he has tho't fit to fix the firſt and third Wedneſdays of every Month as Term Days, for the Sitting of the Court at Halifax; when and where all Cauſes civil and maritime, ariſing in any Province of America, or the maritime Parts thereof, or thereto adjacent, may be proſecuted.

We hear his Excellency Thomas Boone, governor in chief of S. Carolina, now in London, will embark for his ſaid government about Chriſtmaſs next.

BOSTON, Novemb. 1.

We hear from the ſecond pariſh in Hingham, that one Mrs. Bourne of that place, (a perſon peculiarly fond of children) was on Monday evening, to the great joy of herſelf and friends, ſafely delivered of three male children, after having lived upwards of eleven years in the connubial ſtate without offſpring, with one of the kindeſt huſbands, and enjoying with an unblemiſhed reputation, every other ſpecies of earthly felicity.

NEWBERN, December 7.

A ſmall Sloop belonging to this Town, employed as a Lighter, as ſhe was coming into the River, ran aſhore on Brant Iſland, and filled; the People, by Accident, loſt their Boat, and had no Means to get aſhore, and no Veſſel happening to go that Way, they remained on board Eight Days without any Proviſions, except two Rats which they catch'd in the Main Sail: At Length, being all likely to periſh, they cut up the Boom, and made a Raft of it, on which they happily reached the Shore, after being Twenty Two Hours in the Water.

Since our laſt, arrived a Schooner from St. Chriſtophers, a Sloop from Boſton, and another from Rhode-Iſland.

Advertiſements.

To be SOLD by the Subſcriber at his Houſe in NEWBERN;

TWO very likely young Negro Fellows, on reaſonable Terms, for ready Money, by

THOMAS SITGREAVES.

Dec. 7, 1764.

WHEREAS *Margaret*, the Wife of *William Jones*, has made a Practice of dealing with Merchants and others, and running him largely in Debt; Theſe are to forwarn all Perſons from dealing with, or truſting her, for the future, on any Account, for I will not pay any Debt ſhe may contract after the Date hereof.

WILLIAM JONES.

Dec. 3d, 1764.

WHEREAS we the Subſcribers do poſſeſs, *viz.* John Edmondſon, Two Hundred Acres of Land on the upper Side of Broad Creek, and Seventy Five Acres on the lower Side thereof: Iſaac Barrington, Jun. Five Hundred and Fifty Acres on the upper Side of ſaid Broad Creek, ſituate in Craven County; and having been, for ſome Time paſt, Sufferers by People who make it their Practice of Hunting, Driving, and committing other Wrongs and Treſpaſſes on our ſaid Lands, (tho' often forbidden) contrary to Law; Do therefore from henceforth forwarn all Perſons whatſoever from Hunting, Driving, and committing any Kind of Treſpaſs on our Lands; as on the contrary they will be proſecuted to the utmoſt Rigour of the Law, by

JOHN EDMONDSON,
ISAAC BARRINGTON, Jun.

Nov. 30, 1764.

TO BE SOLD,

A STILL of 106 Gallons, with a Pewter Worm; alſo, Two Barrels of Tallow, ſome Barrels of ſoft SOAP, Two Quarter Caſks of Madeira WINE, and a plate handle SWORD, with a Belt. Enquire of BERNARD PARKINSON, Merchant in Newbern.

Nov. 30, 1764.

November 22, 1764.

WHEREAS the Partnerſhip of *McLin* and *Burroughs*, being now Diſſolved, all Perſons indebted to the ſaid Partnerſhip, either by Bond, Note, or Book Debt, are deſired to diſcharge the ſame, or ſettle Accompts with *John Burroughs*, in *Newbern*, or in his Abſence, with Mr. *Jacob Shepherd*, Merchant, in *Newbern*: Their ſpeedy Compliance will ſave them much Trouble and Expence, and very much oblige

Their moſt humble Servants,

Mc LIN and *BURROUGHS.*

N. B. The ſaid *Burroughs* has lately imported an Aſſortment of Goods ſuitable for the Seaſon, which he will ſell cheap for Caſh, Produce, or ſhort Credit.

Newbern, Nov. 16, 1764.

WHEREAS divers Perſons have, for a long ſeries of Time, been guilty of treſpaſſing on the Lands of the Subſcriber, ſituate within 1, 2, and 3 Miles of Newbern, on the South Side of Neuſe, and on the North about one Mile and a Quarter, by felling, lopping, mauling, cutting, picking up, carting and carrying off, not only his prime Timber, viz, Aſh, Cypreſs, Cedar, Oak and Hickory, but alſo, other valuable Timber in the Marine Way, and do ſtill perſiſt in ſuch Enormity, maugre the many and frequent Inſtances of Conviction he has had, whereby, and withall, to have trounced the Offenders, has, nevertheleſs, out of Humanity, and as a Friend to, and Lover of Peace, connived thereat, upon their Promiſe to do ſo no more, which no Regard having been paid to, gives this Public Notice, That unleſs ſuch Perſons do deſiſt herein for the future, and others, who prudently may be cautioned by their Example, they will be proſecuted to the utmoſt Rigour of the Law: And by Way of Reward and Encouragement for any Perſon or Perſons who willl apprehend the Perſon or Perſons ſo offending or treſpaſſing as aforeſaid, he will, for any white Perſon, detected and brought to lawful Conviction, give *Twenty Shillings*, Proclamation Money, and for every Slave detected as aforeſaid, and taken into Cuſtody, *Five Shillings* like Money.

JOHN RICE.

Newbern, Nov. 16, 1764.

WHEREAS ſundry Perſons have, and do ſtill continue to cut and pillage Wood off the Land belonging to Miſs *Mary Liſter*, adjacent to the Town of Newbern: Notice is hereby given to ſuch Perſons, That unleſs they do deſiſt, they will be proſecuted with the utmoſt Rigour of the Law: And as a Reward to any Perſon or Perſons who will apprehend the Perſon for Perſons ſo doing, I will pay, for any white Peron detected of treſpaſſing on ſaid Land, ſo as they can be lawfully convicted, *Twenty Shillings*, and for every Slave detected as aforeſaid, and taken into Cuſtody, *Five Shillings*.

By JOHN SMITH,
Attorney for Guard.

Newbern, June 15th, 1764.

PROPOSALS

For PRINTING BY SUBSCRIPTION,

THE Office and Authority of a *Juſtice of Peace*, as well within their *County Courts*, as *without*. As alſo, the *Duty* of *Sheriffs*, *Conſtables*, *Coroners*, *Churchwardens*, *Overſeers of Roads*, and all other Judicial and Miniſterial *Officers* within this Province; wherein the Nature of their ſeveral Offices will be *deſcribed*, their *Duty* pointed out, and the Manner of their *Appointment* ſhewn. To which will be added, all Manner of *Precedents* in *Uſe* and *Practice* in this Province. The whole adapted to the *Laws*, *Cuſtoms*, and *Uſage* of the Country.

CONDITIONS.

I. THIS WORK will contain about *Thirty* Sheets in *Octavo*, and be printed on a good *Paper* and *Letter*.

II. THAT it will be delivered to the *Subſcribers*, well *bound* in Leather, at 13*s.* 4*d.* each.

III. THAT it will be done on the ſame Plan with the *Office of a Juſtice* publiſhed in *Virginia* by Mr. *Webb*, ſome Years ago, and that *Book* followed, as far as 'tis agreeable to the *Practice* of this Province.

*** The *Utility* of this WORK ſpeaks for itſelf, eſpecially in a *young Country*, where it may be ſuppoſed many *Officers* are *ignorant* of their *Duty*, and many *Irregularities* and *Miſpriſions* likely to happen, in the *Diſcharge* of their ſeveral *Offices*.

SUBSCRIPTIONS are taken in at the *Printing Office* in *Newbern*, and Papers will be ſent to the ſeveral Counties.

WANTED,

A Perſon that underſtands tending a Saw-Mill. Any Perſon inclinable to undertake, may meet with great Encouragement by applying to the Printer. Alſo, wanted a Mill-Wright, that would undertake the building of a Saw-Mill, and making a tumbling Dam over a very rapid Stream.

Newbern, Sept. 7. 1764.

In the Preſs, and ſpeedily will be
PUBLISHED,

A Collection of all the Acts of ASSEMBLY of this Province, in Force and Uſe, from the firſt Settlement of the Province in the Year 1715, to the Year 1751; being a complete Reviſal of the Laws publiſhed by the Commiſſioners ſome Years ago, down to that Time. This Work is deſigned as the Frſt Volume of a complete Sett of all the Laws of the Province down to the preſent Time, the Second Volume from the Year 1751, to the preſent Time, being already publiſhed, and to be ſold by the Printer hereof. In this WORK, all the repealed Laws, and thoſe that have had their Effect, expired, or obſolete, will be left out, all but the Titles, with marginal Notes and References, ſhewing when repealed, or how otherwiſe provided for. To which will be added, a complete General Index to both Volumes; with all the CHARTERS granted to the Province by King *CHARLES* the Second. Perſons inclinable to have them bound and lettered, by applying to the Printer hereof, ſhall have their Orders immediately complied with.

Lately PUBLISHED,

And to be SOLD at the *Printing Office* in

NEWBERN;

A Collection of all the ACTS OF ASSEMBLY of the Province of *North Carolina*, in Force and Uſe, ſince the Reviſal of the LAWS in the Year 1751: Together with an exact Table. To which is prefixed, a Liſt of the Names of thoſe Gentlemen who ſubſcribed for the BOOK.

NEWBERN: Printed by JAMES DAVIS, by whom all Perſons may be ſupplied with this MAGAZINE, at 4*d.* a Number. ADVERTISEMENTS are inſerted, at *Three Shillings* the firſt Week, and *Two Shillings* for every Continuance. Any ſingle Number may be had to complete Setts, at 4*d.*

he delivered to his Majeſty's Council, and the Commons Houſe of Aſſembly, the following SPEECH:

Honourable Gentlemen of his Majeſty's Council, Mr. Speaker, and Gentlemen of the Aſſembly,

I Return you Thanks for the ſeveral good Bills you have continued and paſſed this Seſſion; and hope, upon your Return to your Places of Reſidence, you will endeavour to enforce the Laws already made for the Peace, Security, and Improvement of the Province.

Mr. Speaker, and Gentlemen of the Aſſembly,

As it is probable that I ſhan't meet you again before I depart for England, unleſs I ſhall receive his Majeſty's Commands, I propoſe only to prorogue you for a ſhort Time, that if there is any Orders from his Majeſty, I may again call you together before my Departure: And it is with great Pleaſure I can inform you, that I leave the Government in the Hands of a Lieutenant Governor, who will be as tender of your juſt Rights and Privileges, as he will be of ſtrictly adhering to his Majeſty's Inſtructions, and ſupporting his undoubted Prerogatives.

However, before my Departure, I think it my Duty to inform you, as a Governor, that by ſome haſty and inconſiderate Reſolutions you have come into, by being over ruled by ſome young Members, who don't rightly underſtand the Conſtitution of Britain and its Colonies, you have taken upon you to interfere in the Executive Power over this Province, which is his Majeſty's ſole Right, which he has delegated to the Governor for the Time being, and his Council; which is, in pretending to diſpoſe of, and diſtribute the Public Money already raiſed, which is not appropriated, ariſing from the Surplus of the Funds above the Services for which they are appropriated or granted, and ſuch Sums as are to be applied for the Contingencies and Emergencies of Government, which his Majeſty has impowered his Governor for the Time being, and Council, only, to diſpoſe of; in which you are not to interfere; nor are the Treaſurers to obey or pay any Money upon your Reſolutions, but by Warrant under the Hand of the Governor in Council, purſuant to his Majeſty's Inſtructions; and in Caſe they ſhould wantonly miſapply ſuch unappropriated redundant Supplies or Sums granted for Contingencies, your ſole Right is to animadvert upon it, and apply to his Majeſty and Council in Britain, againſt their Proceedings.

This, as a Friend, I mention to you, to prevent your interfering with his Majeſty's undoubted Prerogative in the Executive Power of the Government; that you mayn't embroil yourſelves with the Crown, which, at the End, you muſt ſubmit to, and muſt be highly prejudicial to the Welfare of this Province.

However, in what Manner ſoever you take this Information and Advice, I ſhall think it my Duty to lay the Loyalty of the Inhabitants of this Province to his Majeſty, in the moſt favourable Light; and promote their Peace and Happineſs; as ſuch can only be procured by a perfect Harmony between his Majeſty and the General Aſſembly of this Province, which will be a Means of procuring Favours, which otherwiſe they cannot expect.

NEWBERN, December 14.

Since our laſt, ſeveral Veſſels arrived here from the Northward, particularly a Sloop from Maryland with 57 Paſſengers, chiefly Families, who are come to ſettle in the Province.

Laſt Night arrived here a Quaker Preacher, and his Wife, and this Day they both preached here to a numerous Audience. The Doctrines which they chiefly handled, were Original Sin, and the Neceſſity of Regeneration; moral Reflections on the Luxuries, Pomps and Vanities of the World, and a particular Caution to the young Ladies againſt Dreſs, and other juvenile Pleaſures and Diverſions; concluded with a ſuitable Prayer, to deprecate God's Judgments on a ſinful World; and that he would be mercifully pleaſed to diffuſe his holy Spirit among the People. It may not be amiſs to take Notice, that the Caution and Advice to the Ladies, was delivered by the Preacher's Wife, who ſeem'd to have a more than common Influence of the holy Spirit; as her Doctrine was delivered with great emphatic Energy and Elocution.

Advertiſements.

NOTICE is hereby given, That on Thurſday the 3d Day of January next, will be rented, to the higheſt Bidder, for one Year, the PEWS of the Church in *Newbern*; agreeable to an Order of the VESTRY of *Chriſt-Church* Pariſh for that Purpoſe.

Jacob Blount, and *James Davis*, } Church-wardens.

TO BE SOLD,

A STILL of 106 Gallons, with a Pewter Worm; alſo, Two Barrels of Tallow, ſome Barrels of ſoft SOAP, Two Quarter Caſks of Madeira WINE, and a plate handle SWORD, with a Belt. Enquire of BERNARD PARKINSON, Merchant in Newbern.

Nov. 30, 1764.

WHEREAS we the Subſcribers do poſſeſs, *viz.* John Edmondſon, Two Hundred Acres of Land on the upper Side of Broad Creek, and Seventy Five Acres on the lower Side thereof: Iſaac Barrington, Jun. Five Hundred and Fifty Acres on the upper Side of ſaid Broad Creek, ſituate in Craven County; and having been, for ſome Time paſt, Sufferers by People who make it their Practice of Hunting, Driving, and committing other Wrongs and Treſpaſſes on our ſaid Lands, (tho' often forbidden) contrary to Law; Do therefore from henceforth forwarn all Perſons whatſoever from Hunting, Driving, and committing any Kind of Treſpaſs on our Lands; as on the contrary they will be proſecuted to the utmoſt Rigour of the Law, by

JOHN EDMONDSON,
ISAAC BARRINGTON, Jun.

Newbern, June 15th, 1764.

PROPOSALS

For PRINTING BY SUBSCRIPTION,

THE Office and Authority of a *Juſtice of Peace*, as well within their *County Courts*, as *without*. As alſo, the *Duty* of *Sheriffs*, *Conſtables*, *Coroners*, *Churchwardens*, *Overſeers of Roads*, and all other Judicial and Miniſterial *Officers* within this Province; wherein the Nature of their ſeveral Offices will be *deſcribed*, their *Duty* pointed out, and the Manner of their *Appointment* ſhewn. To which will be added, all Manner of *Precedents* in *Uſe* and *Practice* in this Province. The whole adapted to the *Laws*, *Cuſtoms*, and *Uſage* of the Country.

CONDITIONS.

I. THIS WORK will contain about *Thirty* Sheets in *Octavo*, and be printed on a good *Paper* and *Letter*.

II. THAT it will be delivered to the *Subſcribers*, well *bound* in Leather, at 13 *ſ.* 4 *d.* each.

III. THAT it will be done on the ſame Plan with the *Office of a Juſtice* publiſhed in *Virginia* by Mr. *Webb*, ſome Years ago, and that *Book* followed, as far as 'tis agreeable to the *Practice* of this Province.

*** The *Utility* of this WORK ſpeaks for itſelf, eſpecially in a *young Country*, where it may be ſuppoſed many *Officers* are *ignorant* of their *Duty*, and many *Irregularities* and *Miſpriſions* likely to happen, in the *Diſcharge* of their ſeveral *Offices*.

SUBSCRIPTIONS are taken in at the *Printing Office* in *Newbern*, and Papers will be ſent to the ſeveral Counties.

WHEREAS *Margaret*, the Wife of *William Jones*, has made a Practice of dealing with Merchants and others, and running him largely in Debt; Theſe are to forwarn all Perſons from dealing with, or truſting her, for the future, on any Account, for I will not pay any Debt ſhe may contract after the Date hereof.

WILLIAM JONES.

Dec. 3d, 1764.

Newbern, Sept. 7. 1764.

In the Preſs, and ſpeedily will be

PUBLISHED,

A Collection of all the Acts of ASSEMBLY of this Province, in Force and Uſe, from the firſt Settlement of the Province in the Year 1715, to the Year 1751; being a complete Reviſal of the Laws publiſhed by the Commiſſioners ſome Years ago, down to that Time. This Work is deſigned as the Frſt Volume of a complete Sett of all the Laws of the Province down to the preſent Time, the Second Volume from the Year 1751, to the preſent Time, being already publiſhed, and to be ſold by the Printer hereof. In this WORK, all the repealed Laws, and thoſe that have had their Effect, expired, or obſolete, will be left out, all but the Titles, with marginal Notes and References, ſhewing when repealed, or how otherwiſe provided for. To which will be added, a complete General Index to both Volumes; with all the CHARTERS granted to the Province by King *CHARLES* the Second. Perſons inclinable to have them bound and Lettered, by applying to the Printer hereof, ſhall have their Orders immediately complied with.

Lately PUBLISHED,

And to be SOLD at the *Printing Office* in

NEWBERN;

A Collection of all the ACTS OF ASSEMBLY of the Province of *North-Carolina*, in Force and Uſe, ſince the Reviſal of the LAWS in the Year 1751: Together with an exact Table. To which is prefixed, a Liſt of the Names of thoſe Gentlemen who ſubſcribed for the BOOK.

NEWBERN: Printed by JAMES DAVIS, by whom all Perſons may be ſupplied with this MAGAZINE, at 4 *d.* a Number. ADVERTISEMENTS are inſerted, at *Three Shillings* the firſt Week, and *Two Shillings* for every Continuance. Any ſingle Number may be had to complete Setts, at 4 *d.*